

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

AMERICAN SPIRIT AND CHEER
ESSENTIALS, INC., ROCKSTAR
CHAMPIONSHIPS, LLC, JEFF &
CRAIG CHEER, LLC, d/b/a JEFF
AND CRAIG CAMPS, and ASHLEY
HAYGOOD, Individually and on
Behalf of all Others Similarly Situated,
Plaintiffs,

v.

VARSITY BRANDS, LLC, BSN
SPORTS, LLC, VARSITY SPIRIT,
LLC, STANBURY, LLC, HERFF
JONES, LLC, BAIN CAPITAL, LP,
CHARLESBANK CAPITAL
PARTNERS, LLC, VARSITY
BRANDS HOLDING CO., INC.,
VARSITY SPIRIT FASHION &
SUPPLIES, LLC, U.S. ALL STAR
FEDERATION, INC., USA
FEDERATION FOR SPORT
CHEERING, d/b/a USA CHEER,
VARSITY INTROPA TOURS, LLC
and JEFF WEBB,

Defendants.

CIVIL ACTION
FILE NUMBER:
2:20-cv-02782-SHL-tmp

**CERTIFICATE OF
CONSULTATION**

Pursuant to LR 7.2(a)(1)(B), counsel affirm that, after consultation between the parties to the controversy, they are unable to reach an accord as to all issues. Indeed, Interim Lead Class Counsel Robert Falanga and Kobelah Svensen Bennah for the American Spirit Plaintiffs consulted with Steven Kaiser for the Defendants *repeatedly*—recently including on January 1, 2022, February 3, 2022, and February 7, 2022—via telephone, email, and USPS mail to no avail.

Respectfully submitted,

This 9th day of February 2022.

s/ Robert A. Falanga
Robert A. Falanga, Esq.
Attorney Bar No. 254400
Interim Lead Class Counsel

s/ Kobelah Svensen Bennah
Kobelah Svensen Bennah
Attorney Bar No. 378113

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